

**UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

ROBERT W. RICHARDSON II,	)	
	)	
Petitioner,	)	
	)	
vs.	)	Case No. 13-0089-CV-W-ODS-P
	)	
DEAN MINOR,	)	
	)	
Respondent.	)	

**ORDER DIRECTING RESPONDENT TO RESPOND ON THE MERITS**

This Section 2254 habeas corpus matter was filed on January 18, 2013. Petitioner challenges the refusal of the Missouri Department of Corrections to give him credit towards his Missouri sentence for time served in Kansas.

In his initial response (Doc. No. 13) to petitioner's petition, respondent contended that this case should be dismissed failure to exhaust state court remedies. However, a review of the record and Missouri Case.Net indicates that petitioner filed petitions for a writ of mandamus both in the Circuit Court of Randolph County, which was denied on September 11, 2012, (Doc. No. 13, Ex. 1 & 2), and in the Missouri Court of Appeals for the Western District (Case No. WD75700), which was denied on November 2, 2012.

Because it appears that petitioner has exhausted state court remedies, respondent will be directed to respond to the merits of petitioner's habeas corpus petition and show cause why the relief therein requested should not be granted.

Accordingly, it is **ORDERED** that, within 20 days from the date of this Order, respondent is directed to further respond as set forth herein.

/s/ Ortrie D. Smith  
ORTRIE D. SMITH  
UNITED STATES DISTRICT JUDGE

Kansas City, Missouri  
Dated: June 27, 2013